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Former Downtown Mall Shop Owner Indicted for Selling Counterfeit Goods

SACRAMENTO, Calif. — United States Attorney Benjamin B. Wagner announced that today federal agents arrested Cem Kiyak, 42, of Roseville, for trafficking in counterfeit goods. Kiyak is scheduled for arraignment today before United States Magistrate Judge Gregory G. Hollows at 2:00 p.m.

According to the indictment returned on June 30, 2011 but sealed until today's arrest, Kiyak operated three stores or kiosks at the Westfield Downtown Mall in Sacramento. Kiyak sold jewelry, apparel, accessories, and other goods to which counterfeit marks had been applied, including counterfeit marks for Chanel, Juicy Couture, Louis Vuitton, Prada, Armani, and other brand name designers and manufacturers.

This case is the product of an investigation by the U.S. Immigration and Customs Enforcement (ICE) Office of Homeland Security Investigations (HSI) and the Internal Revenue Service-Criminal Investigation. Assistant United States Attorney Todd A. Pickles is prosecuting the case.

"Intellectual property theft amounts to economic sabotage," said Dan Lane, assistant special agent in charge for ICE-HSI in Sacramento. "The reality is, retailers who sell counterfeit products and consumers who buy them, are essentially stealing. They're robbing from law abiding merchants and from the legitimate companies that manufacture these items. What's more, counterfeiters don't put a premium on product quality or safety, which is why we say buyer beware."

If convicted, Kiyak faces a maximum statutory penalty of 10 years in prison and a \$5 million fine. The actual sentence, however, will be determined at the discretion of the court after consideration of any applicable statutory factors and the Federal Sentencing Guidelines, which take into account a number of variables.

The charges are only allegations and the defendant is presumed innocent until and unless proven guilty beyond a reasonable doubt.